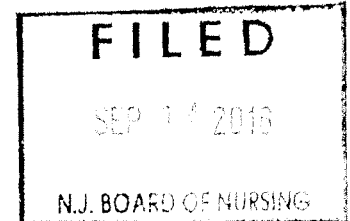
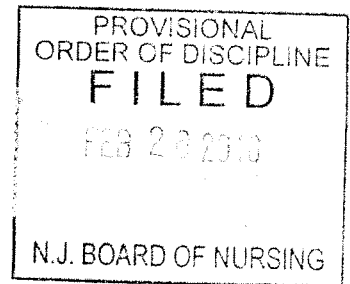


JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Division of Law  
124 Halsey Street, 5<sup>th</sup> Floor  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the State Board of Nursing

By: Joshua M. Bengal  
Deputy Attorney General  
(973) 648-7457



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR  
REVOCATION OF THE LICENSE OF

TRACY STANTON, RN  
LICENSE NO. 26NR14872000

TO PRACTICE AS A NURSE IN THE STATE  
OF NEW JERSEY

Administrative Action

☒ PROVISIONAL ORDER OF  
DISCIPLINE AND DENIAL OF  
REINSTATEMENT.

☒ FINAL ORDER OF DISCIPLINE  
AND DENIAL OF  
REINSTATEMENT

(Finalized by default  
on September 14, 2016)

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Tracy Stanton ("Respondent") is a resident of Delaware and a Registered Nurse in the state of New Jersey and has been a licensee of the Board at all times relevant hereto. Respondent's New Jersey

license expired on or about May 31, 2014. **Exhibit A.** Respondent's failure to timely renew her license resulted in a lapsed status and, as of thirty days after expiration, the suspension of her license to practice as a Registered Nurse in the state of New Jersey. Such suspension occurred without a hearing pursuant to N.J.S.A. 45:1-7.1(b). Respondent also holds an active license to practice nursing in Delaware and an expired license to practice nursing in Pennsylvania. **Exhibit B.**

2. In or around September 2015, Respondent submitted an application for reinstatement of her expired license to practice nursing in the state of New Jersey. In her reinstatement application Respondent disclosed that she had been arrested twice for driving while intoxicated. See excerpt of Respondent's application attached hereto as **Exhibit C.**

3. Specifically, the Board learned that, on or about February 3, 2011, Respondent was arrested in Pennsville, New Jersey for driving while intoxicated and for refusing to submit to a chemical test, namely a breathalyzer. Less than a year later, on January 6, 2012, Respondent was again arrested in Pennsville, New Jersey, for driving while intoxicated. Respondent was convicted on or about February 6, 2013 of charges stemming from both arrests and was fined and had her driver's license suspended. On or about August 28, 2013, she was convicted of failing to comply with a court ordered

countermeasures program. On or about June 9, 2015, Respondent was ordered to have an interlock device installed and maintained on her vehicle for 1,095 days. **Exhibit D.**

4. In or around May 2012, Respondent submitted to the Board an online biennial license renewal application. The application form asked the following question:

Since your last renewal have you been arrested, charged or convicted of any crime or offense that you have not already reported to your board/committee? (Minor traffic offenses, such as speeding or parking need not be provided but Motor Vehicle offenses such as driving while impaired or intoxicated must be disclosed.)

**Exhibit E.** Emphasis Added.

5. Respondent answered the above question "N," for 'no.' Respondent certified her answer by submitting her license renewal application online. Respondent did not note that in the prior two years she had been arrested twice for driving while intoxicated. **Exhibits D, E.**

6. Respondent also did not disclose her February 6, 2013 convictions. **Exhibits C, D, E.**

7. On or about October 1, 2015, the Recovery and Monitoring Program ("RAMP"), which at the Board's request had attempted to enroll Respondent for treatment, notified the Board that Respondent refused to enroll. **Exhibit F.**

CONCLUSIONS OF LAW

The Board finds that Respondent's misrepresentation on her 2012 renewal application constitutes the use or employment of dishonesty, fraud, deception, and misrepresentation, subjecting Respondent to discipline pursuant to N.J.S.A. 45:1-21(b). The Board finds that Respondent's two convictions for driving while intoxicated and related charges constitute conviction or engagement in acts constituting any crime or offense involving moral turpitude or relating adversely to the activity regulated by the board subjecting Respondent to discipline pursuant to N.J.S.A. 45:1-21(f).

ACCORDINGLY, IT IS on this 26<sup>th</sup> day of February, 2016, ORDERED that upon the filing of a FINAL ORDER OF DISCIPLINE in this matter:

1. Respondent's license to practice as a registered nurse in the state of New Jersey was summarily suspended by operation of N.J.S.A. 45:1-7.1 without a hearing on July 1, 2014. The summary suspension of Respondent's license is hereby converted into a disciplinary suspension, effective the date of the filing of a **Final Order of Discipline**.

2. Respondent's request for reinstatement of her license to practice nursing is denied and her license is suspended for a minimum of two years from the filing of a **Final Order of Discipline**.

3. Respondent is assessed a civil penalty in the amount of one thousand dollars (\$1,000.00) for violating the statutes described above. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a **Final Order of Discipline**. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law. The Board will not accept any petition for reinstatement until the within civil penalty has been paid in full.

4. The Board will not accept any petition for reinstatement until Respondent has achieved successful completion of a comprehensive substance and mental health evaluation under the auspices of the Board's designated intervention program, the Recovery and Monitoring Program of the Institute for Nursing ("RAMP"), 2) gaining RAMP's support for reinstatement, and 3) complying with all other regulatory requirements for reinstatement

of licensure, which is hereby ordered pursuant to N.J.S.A. 45:1-22 (e) and (f).

5. Respondent shall not practice as a nurse and shall not represent herself as a nurse until such time as her license is reinstated. Any practice in this state prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

6. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a. Submitting a written request for modification or dismissal to State Board of Nursing, Attention: Leslie Burgos, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.

b. Setting forth in writing any and all reasons said findings and conclusions should be modified or dismissed.

c. Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

7. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary.

If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a Final Order of Discipline will be entered.

8. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent will be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

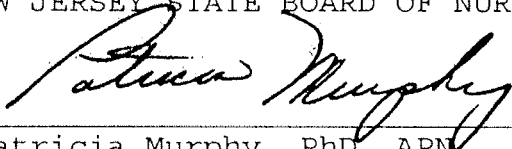
9. In the event that the Board receives no written submission from Respondent within 30 days following filing of this Provisional Order of Discipline, without further Board review, the Provisional Order of Discipline will automatically become the Final Order of Discipline. The box for Final Order of Discipline will be checked, the Final Order of Discipline will be filed, and copies will be mailed to Respondent. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by the Final Order of Discipline will be considered a violation of a Board Order in contravention of

N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and will subject Respondent to additional sanction and/or penalty.

10. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:

  
Patricia Murphy, PhD, APRN  
Board President